

CLAIM AMENDMENTS

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1. **(Currently Amended)** An immune modulator composition comprising 10^4 to 10^{10} killed [[a]] whole cells of a bacterium selected from the genera *Rhodococcus*, *Gordonia*, ~~*Nocardia*~~, *Dietzia*, *Tsukamurella* and *Nocardioides*, wherein said immune modulator composition in use modifies a cellular immune response.

2. **(Currently Amended)** An immune modulator composition according to claim 1 wherein said composition comprises an antigen and an adjuvant, wherein said adjuvant comprises a whole cell of a bacterium from the genera *Rhodococcus*, *Gordonia*, ~~*Nocardia*~~, *Dietzia*, *Tsukamurella* and *Nocardioides*.

3. **(Currently Amended)** A pharmaceutical composition comprising 10^4 to 10^{10} killed [[a]] whole cells of a bacterium selected from the genera *Rhodococcus*, *Gordonia*, ~~*Nocardia*~~, *Dietzia*, *Tsukamurella* and *Nocardioides* and optionally a pharmaceutically acceptable carrier, diluent or excipient, which pharmaceutical composition in use modifies a cellular immune response.

Claims 4-7. **(Cancelled)**

8. **(Original)** An immune modulator composition or a pharmaceutical composition according to any one of claims 1 to 3 for use as a medicament.

9. **(Original)** An immune modulator composition or a pharmaceutical composition according to any one of claims 1 to 3 for use in or as a vaccine.

10. **(Original)** An immune modulator composition according to claim 9 wherein said vaccine is a prophylactic vaccine or a therapeutic vaccine.

11. (Cancelled)

12. (Currently Amended) An immune modulator composition and/or a pharmaceutical composition according to any one of ~~the preceding~~ claims 1 to 3 wherein said composition further comprises an antigen or antigenic determinant.

13. (Original) An immune modulator composition and/or a pharmaceutical composition according to claim 12 wherein said antigen or antigenic determinant is an antigen or antigenic determinant selected from one or more of a BCG (bacillus of Calmette and Guerin) vaccine, a diphtheria toxoid vaccine, a diphtheria/tetanus/pertussis vaccine, a pertussis vaccine, the tetanus toxoid vaccine, the measles vaccine, the mumps vaccine, the rubella vaccine, the OPV (oral poliomyelitis vaccine) and *Mycobacterium vaccae*, or part thereof.

14. (Currently Amended) An immune modulator composition and/or pharmaceutical composition according to claim 12 ~~or claim 13~~ wherein said composition comprises two or more such antigens or antigenic determinants.

15. (Currently Amended) An immune modulator composition and/or pharmaceutical composition according to any one of claims 1-3 ~~and 8-14~~ wherein said bacterium is selected from the genus *Rhodococcus*.

16. (Original) An immune modulator composition and/or pharmaceutical composition according to claim 15 wherein said bacterium is one or more of the following *Rhodococcus ruber*, *Rhodococcus rhodococcus*, *Rhodococcus rhodnii*, *Rhodococcus coprophilus*, *Rhodococcus opacus* and *Rhodococcus erythropolis*.

17. (Currently Amended) An immune modulator composition and/or pharmaceutical composition according to any one of claims 1-3 ~~and 8-16~~ wherein said bacterium is killed.

18. **(Currently Amended)** A method for treating or preventing a condition in a subject comprising administering an effective amount of a pharmaceutical composition and/or immune modulator composition according to any one of claims 1-3 ~~and 8-17~~ to a subject wherein said composition modulates a cellular immune response.

19. **(Currently Amended)** A method for ~~immunising~~ immunizing a subject comprising administering a pharmaceutical composition and/or immune modulator composition according to any one of claim 1-3 ~~and 8-17~~.

20. **(Currently Amended)** A method according to claim 18 ~~or claim 19~~ wherein said pharmaceutical composition and/or an immune modulator composition is co-administered with an antigen or antigenic determinant.

21. **(Original)** A method according to claim 20 wherein the antigen or antigenic determinant is an antigen or antigenic determinant selected from one or more of a BCG (bacillus of Calmette and Guérin) vaccine, a diphtheria toxoid vaccine, a diphtheria/tetanus/pertussis vaccine, a pertussis vaccine, a tetanus toxoid vaccine, a measles vaccine, a mumps vaccine, a rubella vaccine, a OPV (oral poliomyelitis vaccine) and *Mycobacterium vaccae*, or part thereof.

22. **(Currently Amended)** A method according to claim 20 ~~or claim 21~~ wherein said pharmaceutical composition and/or an immune modulator composition is co-administered with two or more such antigens or antigenic determinants.

23. **(New)** A method according to claim 19 wherein said pharmaceutical composition and/or an immune modulator composition is co-administered with an antigen or antigenic determinant.

24. **(New)** A method according to claim 23 wherein the antigen or antigenic determinant is an antigen or antigenic determinant selected from one or more of a BCG (bacillus of Calmette and Guérin) vaccine, a diphtheria toxoid vaccine, a diphtheria/tetanus/pertussis vaccine, a pertussis

vaccine, a tetanus toxoid vaccine, a measles vaccine, a mumps vaccine, a rubella vaccine, a OPV (oral poliomyelitis vaccine) and *Mycobacterium vaccae*, or part thereof.

25. **(New)** A method according to claim 23 wherein said pharmaceutical composition and/or an immune modulator composition is co-administered with two or more such antigens or antigenic determinants.

26. **(New)** An immune modulator composition and/or pharmaceutical composition according to claim 13 wherein said composition comprises two or more such antigens or antigenic determinants.